

The Fire Safety Code Board of Appeal & Review met in the Conference Room located adjacent to 55 Cedar Street, Providence, RI on Tuesday, November 29, 2005 at 1:00 PM. Present were Chairman George Farrell, Vice Chairman Coutu and Commissioners Richard, Blackburn, Preiss, Filippi, Newbrook, O'Connell, Pearson and Burlingame. Also present was Assistant Administrative Officer Carol Marsella. The following appeals were considered.

Appeal #050869: Mr. Ron Wierks, for the property located at 999-1005 Main Street, Pawtucket. Marshal Jeffrey Johnson appeared for the Pawtucket Fire Marshal's office. Commissioner Newbrook recused himself from consideration of this case. Commissioner Preiss made a motion, seconded by Commissioner Burlingame, to grant the Pawtucket Fire Marshal's office the authority to issue a temporary certificate of occupancy for this facility once he feels that all of the fire safety requirements have been met. The motion was unanimous.

Appeal #030205: Mr. Edward Catone, Jr., for the property located at 35 Memorial Drive, Pawtucket. Deputy State Fire Marshal James Moore appeared for the State Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Pearson, to grant the following relief. A variance is granted from the provisions of section 7.2.1.4.2 providing that the cited door is equipped with a magnetic hold-open device. A variance is granted from the provisions of section 7.2.2.2.1 on the basis of structural hardship. A variance is granted to allow the Applicant not to sprinkler the

building, provided the occupancy of the upper level does not exceed 49 people. The occupancy of the lower level is allowed to remain at a maximum of 80 people. If the upper level is ever expected to excel 49 people, the Applicant must first notify the AHJ and comply with any directives requested by that office. The motion was unanimous.

Appeal #040028: Mr. Vilma DeLeon for the property located at 390 Broadway, Providence. Inspector Daniel Isles appeared for the Providence Fire Marshal's office. Vice Chairman Coutu made a motion, seconded by Commissioner Richard, to grant the following relief. The applicant is granted a variance from the provisions of section 7.2.8.3.5 providing an interior step is permanently fastened to any window so constructed. A variance is granted from the provisions of section 7.2.8.6.1 to allow the porch roof to be utilized as a component of the fire escape system. A variance is granted from the provisions of section 7.2.9.3, as a security measure. A variance was granted from the provisions of section 7.5.2.1 on the basis of structural hardship. Finally, the Board granted the Providence Fire Marshal's office the authority to issue a temporary certificate of occupancy for this facility. The motion was unanimous.

Appeal #040043: Mr. Bobbie L. Harper, Jr., for the property located at 648-650 Potters avenue in Providence. Inspector Daniel Isles appeared for the Providence Fire Marshal's office. It was determined that an on-site inspection of this facility will be conducted by a subcommittee of the Board on December 8, 2005 at 9:00 am.

Appeal #050811: Mr. Juan Prieto, for the property located at 90-94 Academy Avenue, providence. Lt. Charles Lawrence appeared for the Providence Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Newbrook, to grant the applicant a time variance of thirty days from the date of the decision in order to treat the plaster and lathe in the staircase oaf this facility with a Class A flame spread coating. The motion was unanimous.

Appeal #050878: Mr. George Brainerd, for the property located at 43 Federal Street in Woonsocket. Lt. Frank Dunton appeared for the Woonsocket Fire Marshal's office. Commissioner Newbrook recused himself from consideration of this case. It was determined that the Applicant would return before the Board at a date to be determined.

Appeal #040299: Mr. Andrew Noyes, for the property located at 545R Front Street, Woonsocket. Captain David Beaubien appeared for the Woonsocket Fire Marshal's office. Commissioner Burlingame made a motion, seconded by Vice Chairman Coutu, to comply with one of the following directives. Within 120 days of the date of this decision the Applicant must either correct all deficiencies within this facility, tear down this building, or clean out and vacate the building. The motion was unanimous.

Appeal #050826: Mr. Ed Wojcik, for the property located at 620 Main Street in East Greenwich. Marshal Susan Hawksley appeared for the

East Greenwich Fire Marshal's office. Commissioner Burlingame made a motion, seconded by Commissioner Richard, to grant the Applicant relief from the provisions of section 9.4.7. The motion was unanimous.

Appeal #910244A: Oakland Grove Healthcare Center, for the property located at 560 Cumberland Hill Road in Woonsocket. Chief of Inspections William Howe appeared for the State Fire Marshal's office. Commissioner Pearson Made a motion, seconded by Commissioner Newbrook, to deny the previously granted variance. The Applicant is directed to install one sprinkler head in the electrical room of this facility within 120 days of the date of this decision. The motion was unanimous.

Appeal #050812: Ms. Peg Richard, for the property located at 85 Ethan Street in Warwick. Vice Chairman Coutu made a motion, seconded by Commissioner Burlingame, to grant the Applicant relief from the provisions of section 7.1.5.1.1 on the basis of structural hardship. The Applicant's request to maintain in place is denied. The motion was unanimous.

Under old business, Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to approve the subcommittee's recommendation to approve the plan of action for the Lincoln School that was presented at the hearing of November 15, 2005. The motion was unanimous.

Respectfully submitted,

Carol Marsella